

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

IN CLERK'S OFFICE  
U.S. DISTRICT COURT  
★ SEP 06 2005 ★

-----X  
ORVILLE WYNTER

Petitioner,

P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

-against-

ORDER  
02 CV 598

(JBW)

JOHN BURGE,

Respondent.  
-----X

WEINSTEIN, *Senior District Judge:*

Petitioner moves pursuant to Federal Rule of Procedure 60(b)(6) to vacate and set aside the judgment of this court of September 25, 2003 dismissing his writ of habeas corpus. See also Order of Court of Appeals for the Second Circuit dated April 15, 2004, denying motion for a certificate of appealability and dismissing the appeal. See order of Court of Appeals dated May 25, 2004 denying motion of reconsideration. All matters raised in this motion were considered by this court. See order of this court of October 14, 2003 denying motion for reconsideration.

No new information or excuse for delay warrants the motion. The motion is denied.

SO ORDERED.

JACK B. WEINSTEIN  
SENIOR UNITED STATES DISTRICT JUDGE

Dated: Brooklyn, New York  
August 30, 2005

*JSW*